

RESPONSE

Serial Number: 09/748,796

Filing Date: December 26, 2000

Title: APPARATUS AND METHOD FOR PACING MODE SWITCHING DURING ATRIAL TACHYARRHYTHMIAS

Page 2

Dkt: 279.315US1

and the mere measurement of sinus rate does not constitute tachyarrhythmia detection without a rate threshold or other criterion. Applicant also does not find any disclosure in Bakels relating to the details of the mode switching as recited by numerous pending claims. With respect to the assertion that Bakels discloses rate-adaptive pacing, applicant understands the cited portion of Bakels to be referring to the varying of particular delay intervals (e.g., AV delay) in order to maximize cardiac output. This is not rate-adaptive pacing as that term is used in the present specification and claims.

As the presence of each element in a claim is required in a reference for a proper rejection under section 102(e), applicant believes the rejections on this basis should be withdrawn. Furthermore, applicant finds no teaching or suggestion relating to mode switching in response to detection of an atrial tachyarrhythmia in any of the cited prior art references.

CONCLUSION

Applicant respectfully submits that the claims are in condition for allowance and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's attorney (612-373-6912) to facilitate prosecution of this application.

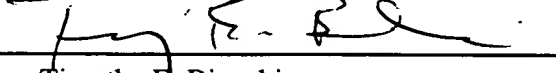
If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,

JEFFREY E. STAHMANN ET AL.

By their Representatives,

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Date June 18, 2002 By 
Timothy E. Bianchi
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CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: Commissioner of Patents, Washington, D.C. 20231, on this 18 day of June, 2002.

Name Alisia G. Dunbar

Signature 